REMARKS/ARGUMENTS

In the specification, an abstract has been added after the last page, page 21, of the specification which has the final claim. The new paragraph is added in response to Paragraph 1 of the current Office Action requiring the addition of an Abstract on a separate sheet. As such, this objection to the specification is now overcome.

Claims 1-15 are pending in the application. Claims 1-15 stand rejected.

Rejection under 35 USC § 102

Claims 1-12 stand rejected under 35 USC § 102(b) as being anticipated by WO 0215816. The Examiner contends that the cited document teaches a non-woven fiber medical dressing comprising one or more fibers containing an adhesive component selected from those recited in the subject claims, an elastomeric component selected from those recited in the subject claims, and further, a hydrophilic component selected from those recited in the subject claims. The Examiner further contends that the reference provides an article capable of adhering to a dry substrate and not a wet substrate, and has a composition at the top surface different from the composition at a second surface of the assembly. Finally, the Examiner considers that the fiber diameter provided for in the reference and the subject application are the same and concludes therefore that the document teaches a method of providing the materials claimed. Applicants respectfully traverse.

The cited reference in fact teaches an article that is "self-adhering" which is different from the adhesive structure provided by the subject disclosure. Specifically, the reference article adheres to itself as the bandage is wrapped over top of itself. For example, the text of the reference at page 10, lines 25-30 states "[this] contact allows dressing 10 to self adhere. i.e., to adhere to itself, and prevent sliding or shifting of the wrap after it is in place, without the use of a fastening mechanism. For most of the length of the strip 12, absorbent pad 14 does not cover strip 12 in order to provide a large, continuous contact area of the wrapped portion of strip 12." The text goes on to

recite that the adhesive portion of the self adhering elastic strip is positioned on the outer surface of the dressing and a non-adhesive covering is provided for the exposed surface of the absorbent pad. In essence, the adhesive component of the bandage is only on the outside such that as the bandage is wrapped over itself the outside, containing the adhesive portion sticks to the underside which comes in contact with it. Further, the disclosure in the reference states "the self-adhering elastic bandage strip is designed not to adhere to clothing, hair, skin or latex gloves." In other words, the bandage is intended to adhere only to itself. At page 14 of the reference, in lines 9-17, the disclosure sets forth that the polymer or copolymer film of the claimed wrap is coated with an extendable, self-adhesive finish, i.e. 10. "[T]he self adhering properties of the polyolefin films from which the wrap are made are enhanced by coating the materials with natural rubber latex or adhesives having low tack, creating greater adhesive properties while maintaining non-adherence to clothing, skin, hair or latex gloves. The latex or low tack adhesive is preferably coated on to one or both sides of the clear film in a specified amount in order to provide for self-adherence or self-bonding when the strip is wrapped around a wound". (emphasis added) Further, the reference bandage includes an absorbent pad placed on top of the strip such that it is placed then in contact with a wound and the bandage wrapped over top of itself to apply pressure to the wound underneath the pad.

In contrast to the foregoing, the subject invention does not require a coating of adhesive in order for the resulting material to be made adhesive. Rather, the subject invention, as claimed, recites "a non-woven fiber assembly comprising one or more fibers wherein the fibers contain: an adhesive component; an elastomeric component; and a hydrophilic component." (emphasis added). As is stated in claim 1, each individual fiber contains all three components. There is no coating placed on the non-woven fiber assembly to impart an adhesive characteristic thereto. Rather, each individual fiber of the assembly contains adhesive throughout. In further contrast to the product recited in the disclosure of the cited reference, the subject non-woven fiber assembly would have the same composition on the top and bottom surfaces of any bandage or structure made therefrom. However, the reference, as is quoted hereinabove, teaches that only the outer surface of the bandage has an adhesive

thereon and not the interior surface.

Given that the foregoing difference is fundamental to the invention recited and claimed in the cited reference, applicants have not amended the claims in the current application because they are believed to be patentably distinct. The reference provides no teaching to a fiber containing an adhesive component, an elastomeric component and a hydrophilic component within each fiber. Rather, the reference claims a bandage material having an adhesive coated thereon. As such, the reference is not viewed as a proper anticipating reference under 35 USC § 102(b) and applicants respectfully request therefore, that the Examiner reconsider and withdraw the rejection of claims 1-12 thereover.

Rejection under 35 USC § 103

Claims 13-15 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 5,238,733 to Joseph, et al. in view of U.S. Patent No. 6,114,024 to Forte. Specifically, the Examiner contends that the '733 reference teaches an apparatus for electrospinning comprising multiple reservoirs, a plurality of valves, and a mixing chamber, and that the '024 reference provides specifically the use of three reservoirs.

Applicants have amended claim 13 herein to more specifically recite exactly what the reservoirs contain. As such, the combination of Joseph, et al. and Forte fails to disclose an apparatus capable of providing a non-woven assembly having the composition set forth in current claims 13-15. As such, applicants respectfully request that the Examiner reconsider the rejection of claims 13-15 under 35 USC § 103(a) in light of the amendment to claim 13 and withdraw the same.

Double Patenting Rejection

Claims 1, 4-6, 8, and 13-15 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 7, 12, and 15-17 of U.S. Patent No. 6,753,454 which shares common inventorship with the subject application. As there has not currently been an indication of allowable subject matter, it is difficult for applicants to determine whether or not a double patenting rejection is well

founded over the '454 reference. At such time as an indication of allowable subject matter is received, applicants will review the allowed subject matter in comparison to the cited claims of the '454 patent and if warranted will submit a terminal disclaimer thereover.

Conclusion

In light of the foregoing amendments, remarks, and arguments, applicants assert that all rejections of claims and specification have been overcome. As such, applicants respectfully request that the Examiner forward the current claims and specification to allowance.

Should the Examiner wish to discuss the foregoing, a telephone call to the undersigned attorney, representative for applicant, would be welcome.

Respectfully submitted,

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